



RESOLUTION NO. 41403

1 A RESOLUTION related to Tacoma Power; declaring the property located at 1801
2 North Orchard Street surplus to the needs of the Department of Public
3 Utilities, Light Division (d.b.a. "Tacoma Power") and authorizing Tacoma
4 Power to transfer such property to the Tacoma/Pierce County Habitat for
Humanity at no cost pursuant to Revised Code of Washington 39.33.015 for
affordable housing.

5 WHEREAS the City of Tacoma, Department of Public Utilities, Light
6 Division (d.b.a. "Tacoma Power"), originally acquired the property located at
7 1801 North Orchard Street (the "Property") for public utility purposes, and such
8 property was formerly known as the Downing Substation; and
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10 WHEREAS in 2009 the Property was declared surplus to Tacoma
11 Power's needs and no longer necessary for continued utility operations by
12 Public Utility Board Resolution No. U-10270 and Tacoma City Council
13 Resolution No. 37730, but failed to sell through a sealed-bid process; and
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15 WHEREAS in 2013, the Public Utility Board passed Resolution No.
16 U-10663 and the Tacoma City Council, after a public hearing, passed
17 Resolution No. 38784, authorizing the conveyance of the property through a
18 negotiated sale; and
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20 WHEREAS the sale of the Property was never finalized as the buyer
21 failed to complete the transaction; and

22 WHEREAS the Property was then offered to the Puyallup Tribe who did
23 not express any interest, and

24 WHEREAS in 2021, the Property was among six parcels included in a
25 request for proposal process for affordable housing under Revised Code of
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1 Washington (“RCW”) 39.33.015 and the only party that expressed an interest in
2 the Property was the Tacoma/Pierce County Habitat for Humanity, and

3 WHEREAS the Tacoma/Pierce County Habitat for Humanity agreed to
4 develop the property as affordable housing in accordance with a development
5 agreement negotiated by Tacoma Power and Real Property Services (the
6 “Development Agreement”), and

7 WHEREAS the Public Utility Board declared the Property surplus to
8 Tacoma Power’s needs and approved the Development Agreement via
9 Resolution No. U-11446 adopted March 13, 2024, together with a request for
10 the Council to pass a resolution authorizing the proper officers of the City to
11 execute and implement a development agreement and a purchase and sale
12 agreement; and

13 WHEREAS a Public Hearing regarding the Property was held before City
14 Council on April 2, 2024, and

15 WHEREAS, there being no foreseeable need for continued City ownership of
16 the Property, the sale of said Property appears to be in the best interests of the
17 City; Now, Therefore,

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20 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

21 Section 1. That the City Council does hereby find and concur with the
22 Tacoma Utility Board’s determination and declaration, pursuant to Public Utility
23 Board Resolution No. U-11446, that the 13,000 square feet of Tacoma Power
24 vacant property located at 1801 North Orchard Street, identified as Pierce County
25 Assessor Tax Parcel No. 7475022110 (the “Property”), owned by the City of
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Tacoma, through its Department of Public Utilities, Light Division, is surplus to the needs of Tacoma Power and Tacoma Public Utilities.

Section 2. That, consistent with RCW 35.94.040, RCW 35.22.020, and Article I, Section 1.2 and Article IX, Section 9.1 of the City Charter, the City Council does hereby find and determine that the Property is not required for, and is not essential to, continued public utility service or continued effective utility service and, pursuant to applicable law, is properly declared surplus property and excess to the needs of Tacoma Power, Tacoma Public Utilities, and the City.

Section 3. That the request of the Public Utility Board to transfer the Property at no cost to Tacoma/Pierce County Habitat for Humanity pursuant to RCW 39.33.015 and the negotiated development agreement and purchase and sale agreement, is hereby approved.

Section 4. That the proper officers of the City are hereby authorized to execute and implement all necessary documents to convey the Property consistent with the terms of this resolution to the Tacoma/Pierce County Habitat for Humanity, said documents to be substantially in the form of those on file in the



office of the City Clerk, with the final forms to be approved by the City Attorney's
1 Office.

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

10 Approved as to form:

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Chief Deputy City Attorney

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14 Requested by Public Utility Board
Resolution No. U-11446

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